

11-28-03

Vol. 68 No. 229

Friday

Nov. 28, 2003

Pages 66693–67012

1



The **FEDERAL REGISTER** (ISSN 0097–6326) is published daily, Monday through Friday, except official holidays, by the Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408, under the Federal Register Act (44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). The Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 is the exclusive distributor of the official edition. Periodicals postage is paid at Washington, DC.

The **FEDERAL REGISTER** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders, Federal agency documents having general applicability and legal effect, documents required to be published by act of Congress, and other Federal agency documents of public interest.

Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless the issuing agency requests earlier filing. For a list of documents currently on file for public inspection, see http://www.nara.gov/fedreg.

The seal of the National Archives and Records Administration authenticates the Federal Register as the official serial publication established under the Federal Register Act. Under 44 U.S.C. 1507, the contents of the Federal Register shall be judicially noticed.

The **Federal Register** is published in paper and on 24x microfiche. It is also available online at no charge as one of the databases on GPO Access, a service of the U.S. Government Printing Office.

The online edition of the **Federal Register** www.access.gpo.gov/nara, available through GPO Access, is issued under the authority of the Administrative Committee of the Federal Register as the official legal equivalent of the paper and microfiche editions (44 U.S.C. 4101 and 1 CFR 5.10). It is updated by 6 a.m. each day the **Federal Register** is published and includes both text and graphics from Volume 59, Number 1 (January 2, 1994) forward.

For more information about GPO Access, contact the GPO Access User Support Team, call toll free 1-888-293-6498; DC area 202-512-1530; fax at 202-512-1262; or via email at <code>gpoaccess@gpo.gov</code>. The Support Team is available between 7:00 a.m. and 9:00 p.m. Eastern Time, Monday–Friday, except official holidays.

The annual subscription price for the Federal Register paper edition is \$699, or \$764 for a combined Federal Register, Federal Register Index and List of CFR Sections Affected (LSA) subscription; the microfiche edition of the Federal Register including the Federal Register Index and LSA is \$264. Six month subscriptions are available for one-half the annual rate. The charge for individual copies in paper form is \$10.00 for each issue, or \$10.00 for each group of pages as actually bound; or \$2.00 for each issue in microfiche form. All prices include regular domestic postage and handling. International customers please add 40% for foreign handling. Remit check or money order, made payable to the Superintendent of Documents, or charge to your GPO Deposit Account, VISA, MasterCard, American Express, or Discover. Mail to: New Orders, Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954; or call toll free 1-866-512-1800, DC area 202-512-1800; or go to the U.S. Government Online Bookstore site, bookstore@gpo.gov.

There are no restrictions on the republication of material appearing in the **Federal Register**.

How To Cite This Publication: Use the volume number and the page number. Example: 68 FR 12345.

Postmaster: Send address changes to the Superintendent of Documents, Federal Register, U.S. Government Printing Office, Washington DC 20402, along with the entire mailing label from the last issue received.

SUBSCRIPTIONS AND COPIES

PUBLIC

Subscriptions:

Paper or fiche 202–512–1800
Assistance with public subscriptions 202–512–1806

General online information 202–512–1530; 1–888–293–6498

Single copies/back copies:

Paper or fiche
Assistance with public single copies
202–512–1800
1–866–512–1800
(Toll-Free)

FEDERAL AGENCIES

Subscriptions:

Paper or fiche 202-741-6005
Assistance with Federal agency subscriptions 202-741-6005

What's NEW!

Federal Register Table of Contents via e-mail

Subscribe to FEDREGTOC, to receive the **Federal Register** Table of Contents in your e-mail every day.

If you get the HTML version, you can click directly to any document in the issue.

To subscribe, go to http://listserv.access.gpo.gov and select:

Online mailing list archives

FEDREGTOC-L

Join or leave the list
Then follow the instructions.



Contents

Federal Register

Vol. 68, No. 229

Friday, November 28, 2003

Agricultural Marketing Service

RULES

Milk marketing orders: Central, 66697-66699

Agriculture Department

See Agricultural Marketing Service See Forest Service

Antitrust Division

NOTICES

Competitive impact statements and proposed consent judgments:

Univision Communications Inc., 66854-66873

Army Department

RULES

Acquisition regulations:

Foreign acquisition; contractors accompanying the force; deployment of contractor personnel in support of military operations, 66738-66740

Solicitation provisions and contract clauses; contractors accompanying the force, 66740-66741

Blind or Severely Disabled, Committee for Purchase From People Who Are

See Committee for Purchase From People Who Are Blind or Severely Disabled

Census Bureau

NOTICES

Surveys, determinations, etc.:

Manufacturing area; annual, 66798-66799

Retail trade; annual, 66799

Centers for Disease Control and Prevention NOTICES

Grants and cooperative agreements; availability, etc.: Association between exposure to media violence and youth violence; research program, 66829-66834 Smoke Alarm Installation and Fire Safety Education Program; community trial to test effectiveness, 66834-66839

Centers for Medicare & Medicaid Services

RULES

Medicare:

Medicare+Choice plans; Medicare Part B premium reduction, 66721-66723

Medicare and Medicaid:

Religious nonmedical health care institutions and advance directives, 66710-66721

PROPOSED RULES

Medicare:

Hospital inpatient services of psychiatric facilities; prospective payment system, 66919-66978

Citizenship and Immigration Services Bureau **NOTICES**

Agency information collection activities; proposals, submissions, and approvals, 66843-66845

Coast Guard

NOTICES

Meetings:

Baltimore Captain of Port Area Maritime Security Committee, 66845

Merchant Marine Personnel Advisory Committee, 66845-66846

Commerce Department

See Census Bureau

See International Trade Administration

See National Institute of Standards and Technology See National Oceanic and Atmospheric Administration

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 66797-66798

Committee for Purchase From People Who Are Blind or Severely Disabled

NOTICES

Procurement list; additions and deletions, 66796-66797

Defense Department

See Army Department

PROPOSED RULES

Federal Acquisition Regulation (FAR):

Cost principles and penalties for unallowable costs; applicability, 66987-66989

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 66822

Defense Nuclear Facilities Safety Board

Meetings; Sunshine Act, 66822-66823

Education Department

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 66823

Employment and Training Administration NOTICES

Adjustment assistance:

Authentic Fitness Corp. et al., 66873–66875

Biddle Precision Components, 66875

Bose Corp., 66875

Carm Newsome Hosiery, Inc., 66875

EDM Corp., 66875

Fall River Manufacturing II, 66875

Fishing Vessels-

AQUARIUS, 66876

BIG DOG et al., 66876

DEBORAH RENEE, 66876 ELDORADO, 66875-66876

FAMILY PRIDE, 66876

Halmode Apparel, Inc., 66876-66877

Henredon Furniture, Industries, 66877

Lucent Technologies, 66877

Pulaski Furniture Corp. et al., 66877-66882

Romac Industries, Inc., 66882-66883

Silicon Graphics, Inc., 66883

Snap-Tite, Inc., 66883 Southeastern Adhesives Co., 66883 Textron, 66883 West Coast Fashion, Inc., 66883-66884 Agency information collection activities; proposals, submissions, and approvals, 66884-66885

Employment Standards Administration NOTICES

Minimum wages for Federal and federally-assisted construction; general wage determination decisions, 66885-66886

Environmental Protection Agency

NOTICES

Environmental statements; availability, etc.:

Agency statements-

Comment availability, 66824

Weekly receipts, 66824-66825

Superfund; response and remedial actions, proposed settlements, etc.:

Illinois Central Railroad Company's Johnston Yard Site, TN, 66825

Lakewood Treating, Inc. Site, SC, 66825

Water pollution control:

National Pollutant Discharge Elimination System— Massachusetts and New Hampshire; hydroelectric generating facilities discharges; general permits, 66826

Executive Office of the President

See Presidential Documents

Export-Import Bank

NOTICES

Meetings:

Advisory Committee, 66826

Federal Aviation Administration RULES

Class D airspace, 66699-66700 Class E airspace, 66700–66702

PROPOSED RULES

Airworthiness directives:

Aerospatiale, 66772-66775

Airbus, 66762-66764

Boeing, 66764-66765

Bombardier, 66765-66768

McDonnell Douglas, 66768-66772

Federal Communications Commission

RULES

Television broadcasting:

Digital cable products; commercial availability of navigation devices and compatibility between cable systems and consumer electronics equipment, 66728-66738

PROPOSED RULES

Digital television stations; table of assignments:

Idaho, 66781–66782

New York; correction, 66781

Radio stations; table of assignments:

Various States, 66782

Television broadcasting:

Digital cable products; commercial availability of navigation devices and compatibility between cable systems and consumer electronics equipment, 66776-66781

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 66826-66827

Federal Deposit Insurance Corporation

NOTICES

Meetings:

Meetings; Sunshine Act, 66827-66828

Federal Election Commission

RULES

Bipartisan Campaign Reform Act; implementation: Presidential candidates and nominating conventions; public financing Effective date and correction, 66699

NOTICES

Meetings; Sunshine Act, 66828

Federal Maritime Commission

NOTICES

Ocean transportation intermediary licenses: Asiana Transport Inc. et al., 66828

G.C. International Forwarding Co. et al., 66828-66829 Internet Shipping Line et al., 66829

Fish and Wildlife Service

RULES

Marine mammals:

Incidental take during specified activities— Beaufort Sea, AK; oil and gas industry exploration, development, and production operations; polar bears and Pacific walrus, 66744-66761

NOTICES

Endangered and threatened species and marine mammal permit applications, 66850-66851

Environmental statements; availability, etc.:

Incidental take permits— Clark County, WA; J.L. Storedahl & Sons, Inc.; habitat conservation plan, 66820-66821

Forest Service

NOTICES

Meetings:

Resource Advisory Committees— Catron County, 66796 Lassen County, 66796

General Services Administration

PROPOSED RULES

Federal Acquisition Regulation (FAR):

Cost principles and penalties for unallowable costs; applicability, 66987-66989

Health and Human Services Department

See Centers for Disease Control and Prevention

See Centers for Medicare & Medicaid Services

See National Institutes of Health

See Substance Abuse and Mental Health Services Administration

Homeland Security Department

See Citizenship and Immigration Services Bureau See Coast Guard

See Immigration and Customs Enforcement Bureau **NOTICES**

Homeland Security Center designations:

University of Southern California, 66842-66843

Housing and Urban Development Department

Public and Indian housing:

Native Hawaiian Housing Block Grant and Loan Guarantees for Native Hawaiian Housing Programs, 66979–66985

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 66847–66849

Grants and cooperative agreements; availability, etc.:

Facilities to assist homeless—

Excess and surplus Federal property, 66849

Immigration and Customs Enforcement Bureau NOTICES

Agency information collection activities; proposals, submissions, and approvals, 66846–66847

Interior Department

See Fish and Wildlife Service

RULES

Hearings and appeals procedures:

Surface coal mining; special rules, 66723–66728

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 66849–66850

Guam War Claims Review Commission, 66850

Internal Revenue Service

RULES

Income taxes:

Nonaccrual-experience method of accounting; use limitation

Correction, 66707-66708

PROPOSED RULES

Income taxes:

Contingent payment debt instruments for one or more payments denominated in or determined by reference to nonfunctional currency; treatment Correction, 66776

International Trade Administration

NOTICES

Antidumping:

Color television receivers from—

China, 66800-66810

Color televisions from-

Malaysia, 66810-66816

Floor-standing, metal top ironing tables and parts from— China, 66816

Granular polytetrafluroetheylene resin from— Japan, 66817

Antidumping and countervailing duties:

Administrative review requests, 66799–66800

International Trade Commission NOTICES

Import investigations:

Carbazole violet pigment 23 from— China and India, 66851–66852

Sildenafil or any pharmaceutically acceptable salt, such as sildenafil citrate, and products containing same, 66852–66853

Justice Department

See Antitrust Division

Labor Department

See Employment and Training Administration See Employment Standards Administration

Maritime Administration

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 66917

National Aeronautics and Space Administration PROPOSED RULES

Federal Acquisition Regulation (FAR):

Cost principles and penalties for unallowable costs; applicability, 66987–66989

NOTICES

Patent licenses; non-exclusive, exclusive, or partially exclusive:

Air Systems, Inc., 66886

National Communications System

NOTICES

Meetings:

National Security Telecommunications Advisory Committee, 66886

National Highway Traffic Safety Administration RULES

Motor vehicle safety standards:

Child restraint systems—

Harnesses for use on school bus seats; expiration date delay, 66741–66743

National Institute of Standards and Technology RULES

National Construction Safety Team Act; implementation, 66703–66707

National Institutes of Health

NOTICES

Meetings:

National Institute of Allergy and Infectious Diseases, 66841

National Institute of Dental and Craniofacial Research, 66840

National Institute of Environmental Health Sciences, 66841

National Institute on Alcohol Abuse and Alcoholism, 66840

National Institute on Deafness and Other Communication Disorders, 66839–66840

Scientific Review Center, 66841-66842

National Oceanic and Atmospheric Administration PROPOSED RULES

Fishery conservation and management:

Atlantic highly migratory species—

Atlantic pelagic longline fishery; sea turtle bycatch mitigation; environmental impact statement, 66783–66784

Northeastern United States fisheries-

Summer flounder, scup, and black sea bass, 66784–66795

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 66817–66819 Endangered and threatened species:

Andromous fish take-

Natural Resource Scientists, Inc., et al.; California Central Valley steelhead, 66819–66820 Environmental statements; availability, etc.:

Incidental take permits—

Clark County, WA; J.L. Storedahl & Sons, Inc.; habitat conservation plan, 66820–66821

Meetings:

Gulf of Mexico Fishery Management Council, 66821–66822

Neighborhood Reinvestment Corporation

NOTICES

Meetings; Sunshine Act, 66887

Nuclear Regulatory Commission

NOTICES

Meetings; Sunshine Act, 66887

Presidential Documents

ADMINISTRATIVE ORDERS

International Criminal Court; waiving prohibition on United States military assistance to parties to the Rome Statute (Presidential Determination No. 2004-04-09 of November 21, 2003), 66693

Securities and Exchange Commission

RULES

Securities:

Security holders and boards of directors; nominating committee functions and communications; disclosure requirements, 66991–67011

NOTICES

Investment Company Act of 1940:

Deregistration applications—

First Philippine Fund Inc. et al., 66887-66888

Exemption applications—

First Trust Portfolios, L.P., et al., 66890–66892

Hennion & Walsh, Inc., et al., 66888-66890

Options Price Reporting Authority:

Consolidated Options Last Sale Reports and Quotation Information; Reporting Plan; amendments, 66892– 66898

Self-regulatory organizations; proposed rule changes: American Stock Exchange LLC, 66898–66908 Chicago Board Options Exchange, Inc., 66908 International Stock Exchange, Inc., 66909–66910 National Association of Securities Dealers, Inc., 66910–

Philadelphia Stock Exchange, Inc., 66912–66913

Small Business Administration NOTICES

Committees; establishment, renewal, termination, etc.: National Advisory Council et al., 66913 Meetings:

Regulatory Fairness Boards— Region IV; hearing, 66913

Social Security Administration NOTICES

Agency information collection activities; proposals, submissions, and approvals, 66913–66915 Meetings:

Ticket to Work and Work Incentives Advisory Panel; teleconference, 66915

Senior Executive Service:

Performance Review Board; membership, 66915-66916

Special Counsel Office

RULES

Complaints and allegations; filing requirements and options, including electronic filing, 66695–66697

State Department

NOTICES

Meetings:

Defense Trade Advisory Group, 66916

Substance Abuse and Mental Health Services Administration

NOTICES

Meetings:

SAMHSA National Advisory Council, 66842

Tennessee Valley Authority

NOTICES

Agency information collection activities; proposals, submissions, and approvals, 66916

Transportation Department

See Federal Aviation Administration

See Maritime Administration

See National Highway Traffic Safety Administration ${\bf NOTICES}$

Aviation proceedings:

Agreements filed; weekly receipts, 66916

Treasury Department

See Internal Revenue Service

RULES

Currency and foreign transactions; financial reporting and recordkeeping requirements:

Bank Secrecy Act; implementation—

Funds transmittal by financial institutions; conditional exception expiration, 66708–66710

Separate Parts In This Issue

Part II

Health and Human Services Department, Centers for Medicare & Medicaid Services, 66919–66978

Part III

Housing and Urban Development Department, 66979–66985

Part IV

Defense Department; General Services Administration; National Aeronautics and Space Administration, 66987–66989

Part V

Securities and Exchange Commission, 66991-67011

Reader Aids

Consult the Reader Aids section at the end of this issue for phone numbers, online resources, finding aids, reminders, and notice of recently enacted public laws.

To subscribe to the Federal Register Table of Contents LISTSERV electronic mailing list, go to http://listserv.access.gpo.gov and select Online mailing list archives, FEDREGTOC-L, Join or leave the list (or change settings); then follow the instructions.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

3 CFR Administrative Orders: Presidential Determinations: No. 2004-09 of November 21, 2003	86603
5 CFR 18006	
7 CFR 10326	6697
11 CFR 104	66699 66699 66699 66699 66699 66699 66699 66699 66699 66699
Proposed Rules: 39 (6 documents)	6762, 6770, 66772
15 CFR 2706	6703
17 CFR 228 6 229 6 240 6 270 6 274 6 274 6 24 CFR 1006 6 1007 6	66992 66992 66992 66992 66992
26 CFR 16 Proposed Rules:	6707
16 31 CFR	
1036 42 CFR	
403 6 408 6 489 6 498 6 Proposed Rules:	6721 6710
412	6920
46 47 CFR	
15	6728
15	6782

48 CFR 51255152	
Proposed Rules:	
15	66988
31	66988
42	66988
49 CFR 571	66741
J/ 1	00741
50 CFR 18	66744
18 Proposed Rules:	
18	